

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**



**MINUTES OF PROCEEDINGS:**

20 minutes

**HONORABLE CAMILLE L. VELEZ-RIVE**

**DATE: March 2, 2007**

**COURTROOM DEPUTY: Yelitza RIVERA-BUONOMO**

**CV. NO. 00-085(CC)**

**COURT REPORTER: FTR**

**PO Miguel Arroyo**

UNITED STATES OF AMERICA

AUSA EVELYN CANALS-LOZADA

v.

4-WILFREDO RUIZ

AFPD JOANNIE PLAZA-MARTINEZ

=====

**CASE CALLED FOR PRELIMINARY ON SUPERVISED RELEASE.**

AFPD Joannie Plaza addressed the Court with a brief history of defendant's alleged problems with his supervised release term, leading to his final arrest on October 2006 in Florida, where he resides, his transfer to MDC Guaynabo in December 2006, and that he was not brought before a US Magistrate Judge until late February 2007.

AFPD Plaza then presented an oral motion for the dismissal of the revocation as defendant has been imprisoned for over 4 months, or that he be sentenced to time served.

AUSA Canals opposed said motion and/or request by defense counsel.

After hearing the arguments from the parties, the Court stated that this Magistrate Judge didn't have the jurisdiction to rule on that motion to dismiss, although she sympathized with the argument and defendant's position; that since defendant was not contesting the alleged violation, a probable cause finding was made, and that the motion to dismiss should be filed in writing for the consideration of Judge Cerezo.

The Court also stated that it would make a recommendation to Judge Cerezo that the revocation hearing be held as soon as possible.

Case is referred to Judge Cerezo for final revocation hearing.

S/Yelitza Rivera-Buonomo

Deputy Clerk